

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 FEA-01 AID-05 CEQ-01 CIAE-00
ERDA-05 COME-00 DODE-00 EPA-01 INR-07 IO-13 L-03
NSF-01 NSC-05 NSAE-00 PM-04 USIA-06 OES-06 SS-15
SP-02 INT-05 DOTE-00 DLOS-09 FMC-01 /111 W
-----010740Z 125556 /10

R 010716Z APR 77
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC 3011
INFO AMEMBASSY LONDON
AMCONSUL MONTREAL
ALL OTHER AMCONSULS CANADA POUCH

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E.O.11652:N/A
TAGS: EWWT, SENV, IMCO, CA
SUBJECT: ADMINISTRATION INITIATIVE ON MARINE OIL
POLLUTION

REF: (A) STATE 60283; (B) STATE 66771

1. BEGIN SUMMARY. CANADA AND THE U.S. APPEAR IN REASON-
ABLE AGREEMENT ON MANY ASPECTS OF THE U.S. INITIATIVE
RE MARINE OIL POLLUTION. DOUBLE BOTTOMS AND SEGREGATED
BALLAST, HOWEVER, ARE ISSUES WHERE GOC IS NOT FULLY
CONVINCED BENEFITS OUTWEIGH COSTS. CANADIAN EMPHASIS IS
ON IMPORTANCE OF SECURING INTERNATIONAL AGREEMENT AND
DOCUMENTS EMBODYING PROPOSED REGULATORY CHANGES THROUGH
IMCO MECHANISM EVEN IF THOSE AGREEMENTS THEMSELVES
DO NOT BECOME EFFECTIVE AS RAPIDLY AS WOULD BE DESIRABLE.
GOC ALSO LIKELY SUPPORT US INITIATIVE RE IMCO
TIMETABLE. END SUMMARY.

2. PRESIDENT'S MARCH 17 MESSAGE (REF A) AND
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SUPPLEMENTARY MATERIAL (REF B) WERE DISCUSSED MARCH 29
BY TCO WITH CAPT. GEORGE GRAVES (DIRECTOR, COAST GUARD
SHIP SAFETY, MOT), WHO REPRESENTS GOC ON IMCO MARINE
ENVIRONMENT PROTECTION COMMITTEE, SUPERVISES
REPRESENTATION ON MARITIME SAFETY COMMITTEE, AND WHO
HAD DISCUSSED PRESIDENT'S MESSAGE WITH OTHER GOC
AGENCIES PRIOR TO OUR MEETING. GRAVES HAD PREVIOUSLY

TALKED ABOUT PARTS OF PROGRAM WITH U.S. COAST GUARD OFFICIALS AND FELT, BASED ON THESE TALKS AND PRESIDENTIAL TEXT, THAT THE U.S. AND CANADIAN APPROACHES TO THE ISSUES WERE SIMILAR IN MANY RESPECTS.

3. AMONG THE SPECIFIC POINTS MADE BY GRAVES WERE THE FOLLOWING:

A. 1973 CONVENTION ON PREVENTION OF POLLUTION FOR SHIPS: ALTHOUGH QUICK RATIFICATION OF THIS INSTRUMENT IS NOT LIKELY, GOC HAS RECENTLY ACCEPTED THE 1969 AMENDMENTS TO THE 1954 CONVENTION AND MADE THEM EFFECTIVE THROUGH NATIONAL REGULATIONS. THESE AMENDMENTS SHOULD ENTER INTO FORCE GLOBALLY EARLY IN 1978 AND, IN GRAVES VIEW, WILL MAKE A MAJOR CONTRIBUTION TO SOLVING THE PROBLEM. CANADA'S MAIN DIFFICULTY WITH QUICK RATIFICATION OF THE 1973 CONVENTION IS THE LACK OF RECEPTION FACILITIES IN CANADA FOR WASTE CHEMICALS. A PRIORITY STUDY IS UNDERWAY TO DETERMINE WHERE THESE FACILITIES WOULD BE NEEDED AND WHO MIGHT SUPPLY THEM. ONCE THIS HAS BEEN DETERMINED, THE GOVERNMENTAL PROCESS WILL REQUIRE AT LEAST A YEAR TO ENACT NECESSARY LEGISLATION TO REQUIRE THEIR USE AFTER WHICH RATIFICATION OF THE 1973 CONVENTION SHOULD BE POSSIBLE. IN REPLY TO OUR QUESTION, GRAVES ADDED THERE ARE NO PRESSURES DEVELOPING AGAINST RATIFICATION.

B. CONSTRUCTION AND EQUIPMENT STANDARDS: CANADA IS NOT LIKELY TO MOVE UNILATERALLY IN THIS AREA, BUT IF LIMITED OFFICIAL USE

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AGREEMENT CAN BE REACHED ON INTERNATIONAL STANDARDS, GOC WOULD HAVE NO DIFFICULTY IN ADOPTING THEM. WITH RESPECT TO DOUBLE BOTTOMS AND SEGREGATED BALLAST, CANADIAN EXPERTS ARE NOT PRESENTLY CONVINCED THESE ARE AN ADVANTAGE. CANADIAN VIEW PRESENTLY IS THAT LOAD ON TOP, CRUDE OIL WASHING AND INERT GASING TECHNIQUES CAN ACCOMPLISH AS MUCH TO CONTROL POLLUTION AS SEGREGATED BALLAST AND AT LOWER COST. HOWEVER, THE CANADIAN POSITION IS STILL OPEN IN THE CONTEXT OF INTERNATIONAL DEBATE. PROPOSED BACK-UP RADAR EQUIPMENT POSES NO PROBLEMS AS THIS REQUIREMENT ALREADY EXISTS UNDER GOC REGULATIONS. CANADA WOULD PROBABLY BE SYMPATHETIC TO TANKER EMERGENCY STEERING STANDARDS, BUT UNTIL SPECIFIC PROPOSAL IS AVAILABLE GRAVES COULD NOT PROVIDE STRONGER ASSURANCE.

C. CREW STANDARDS AND TRAINING: CANADA FULLY AGREES ON NEED FOR IMPROVEMENTS IN THIS AREA.

D. TANKER BOARDING PROGRAM AND MARINE SAFETY
INFORMATION PROGRAM: CANADA PRESENTLY HAS A BOARDING
AND INFORMATION PROGRAM SIMILAR TO PRESIDENT'S
PROPOSAL, EXCEPT FOR DISCLOSURE OF NAMES ASPECT.
GRAVES, HOWEVER, HAS NO OBJECTION TO DISCLOSURE, BUT
SEES MANY PROBLEMS ARISING IN ATTEMPTS TO IMPLEMENT
SUCH A REQUIREMENT.

E. LIABILITY STANDARDS AND COMPENSATION FUND QUESTIONS
DO NOT COME UNDER MOT JURISDICTION AND GRAVES COULD
NOT DISCUSS THIS ASPECT OF PRESIDENT'S PROPOSAL. WE
HAVE PASSED MATERIAL IN STATE 68633 TO EXTAFF AND WILL
SUBSEQUENTLY REPORT REACTIONS.

F. ABILITY TO RESPOND TO EMERGENCY SITUATION, GRAVES
AND TCO AGREED, WAS ESSENTIALLY A U.S. DOMESTIC

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QUESTION. HOWEVER, GRAVES TOOK OPPORTUNITY TO PRAISE
OPERATIONS OF US-CANADA BILATERAL EMERGENCY CONTINGENCY
PLAN--WITH SPECIAL REFERENCE TO 1976 INCIDENT AT
ALEXANDRIA BAY, N.Y.--AS EVIDENCE THAT U.S. ALREADY
HAD A GOOD EMERGENCY RESPONSE SYSTEM. DESCRIBED GOAL
OF SIX HOUR RESPONSE TIME TO 100,000 TON SPILL AS A
BIT AMBITIOUS.

4. IN CONCLUSION, GRAVES REITERATED THAT HE FELT
ALTHOUGH THERE WERE DIFFERENCES IN SOME DETAILS,
BASICALLY THE U.S. AND CANADA VIEWED THE MARINE OIL
POLLUTION PROBLEM IN SIMILAR WAYS. HOWEVER, HE AND

OTHER OFFICIALS WERE CONCERNED ABOUT REPORTS
POSSIBILITY U.S. MIGHT MOVE UNILATERALLY IN MANY OF
THESE AREAS. TCO, PER REF B, EMPHASIZED OUR RECOGNITION
OF IMPORTANCE OF INTERNATIONAL ACTION ESPECIALLY
THROUGH IMCO, GAVE GRAVES COPY OUR PROPOSED IMCO
SCHEDULE, AND ASKED FOR CANADIAN SUPPORT. TCO WAS
ASSURED THIS WOULD BE GIVEN PROMPT CONSIDERATION.

5. GRAVES FINALLY STATED THAT IF SPECIFIC STANDARDS
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COULD BE NEGOTIATED WITHIN IMCO AND U.S. REGULATIONS
REFLECTED THESE--EVEN IF THE CONVENTIONS AND OTHER
DOCUMENTS EMBODYING THEM DID NOT ENTER INTO FORCE
AS QUICKLY AS THE U.S. AND OTHER COUNTRIES MIGHT
DESIRE--MANY POSSIBLE CANADIAN CONCERNS ABOUT U.S.
UNILATERAL ACTION WOULD BE AVOIDED. IN FACT, GRAVES
NOTED THAT THERE HAD BEEN OCCASIONS ON WHICH CANADA
HAD BEEN REQUIRED TO GO IT ALONE TO MEET PRESSING
MARINE NEEDS (E.G., REGULATIONS REQUIRING VESSELS TO
CARRY AND USE NAVIGATION CHARTS AND PUBLICATIONS RE
CANADIAN WATERS, TO HAVE SPECIFIC NAVIGATIONAL

EQUIPMENT SUCH AS DOUBLE RADARS, AND SETTING STANDARDS
FOR DECK WATCHES ON SHIPS IN CANADIAN WATERS), BUT HE,
NEVERTHELESS, HOPED THAT INTERNATIONAL AGREEMENTS IN
THESE POLLUTION AREAS WOULD BE ACHIEVED AND THE U.S.
COULD ACCEPT THEM.

6. WE HAVE PROVIDED EXTAFF WITH COPY OF U.S. PROPOSED
IMCO TIMETABLE AND ON MARCH 30 DISCUSSED THIS WITH
O'NEIL (COMMISSIONER CANADIAN COAST GUARD), WHO
REPRESENTS CANADA ON IMCO COUNCIL. O'NEIL DESCRIBED
PROPOSAL AS AMBITIOUS, BUT SAID CANADA WOULD
ESSENTIALLY SUPPORT IT, RESERVING JUDGMENT, HOWEVER,
AS TO 1978 CONFERENCE OF PLENIPOTENTIARIES UNTIL
RESULTS OF COMMITTEE WORK HAD BEEN REVIEWED. O'NEIL
SAID THERE WAS ONE LACUNA IN TIMETABLE--NO PROVISION
WAS MADE FOR REVIEW BY LEGAL COMMITTEE OF WORK BY
SAFETY AND POLLUTION COMMITTEES. NOTED LEGAL
COMMITTEE WOULD MEET IN OCTOBER 1977 AND, IF ITS
AGENDA COULD BE JUGGLED, IT WOULD BE POSSIBLE FOR
ASSEMBLY TO CONSIDER SCHEDULING DIPLOMATIC CONFERENCE.
O'NEIL WOULD HAVE NO PROBLEMS WITH POSTPONEMENT OF
SEARCH AND RESCUE CONFERENCE TO ACCOMMODATE POLLUTION
CONFERENCE.

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7. ACTION REQUESTED: O'NEIL ASKED THAT TCO KEEP HIM INFORMED AS TO OUR READING OF REACTIONS FROM OTHER GOVERNMENTS TO U.S. INITIATIVE--INCLUDING IMCO WORK PROGRAM. GIVEN DEGREE OF LIKELY COOPERATION FROM CANADA, EMBASSY BELIEVES THIS WOULD BE GOOD IDEA. ENDERS

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Message Attributes

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